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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5587 OF 2006

The State of Maharashtra
through the Conservator of Forests,
Pune Circle & anr. ... Petitioners

V/s

Smt. Jijabai Baban Narage ... Respondent

ALONGWITH
WRIT PETITION NO. 5588 OF 2006

The State of Maharashtra
through the Conservator of Forests,
Pune Circle & anr. ... Petitioners

V/s

Smt. Phulabai D. Nalawade ... Respondent

ALONGWITH
WRIT PETITION NO. 5589 OF 2006

The State of Maharashtra
through the Conservator of Forests,
Pune Circle & anr. ... Petitioners

V/s

Smt. Parubai Dattu Thopate ... Respondent

AND
WRIT PETITION NO. 5590 OF 2006

The State of Maharashtra
through the Conservator of Forests,
Pune Circle & anr. ... Petitioners

V/s

Smt. Subhadra Shivaji Bhondekar ... Respondent

Mr. S.K. Chichalikar, Govt. Pleader for the petitioners in all petitions.

Mr. Rajiv Patil for the respondent in all petitions.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 21ST APRIL, 2007

P.C.:

1. All these petitions have been filed against the judgment and order dated 29.7.1998. By this order, the Industrial Court, Pune has disposed of by the common judgment the Complaint (ULP) Nos. 233, 234, 235 and 236 of 1996.

2. There is an inordinate delay in approaching this Court. The petitions have been filed only on 2.8.2006. The only explanation given in the petitions for the delay is mentioned in para 6, which reads as follows:

> "6. The impugned judgment and order was passed on 29.7.1998 and after obtaining certified copy of the said order, the same was submitted to Law and Judiciary Department of Mantralaya by its letter Ref.No.2-C/ astha/ vm/965/98-99, dated 3.2.1999 and thereafter Forest Department of Government, Mantralaya,

> obtained opinion from Law and Judiciary Department that it is not necessary to file appeal/petition against the impugned order dated 29.7.1998. Same was conveyed by their letter Ref.No.30/1099/143/pc 31, dated 2.2.2000. It is submitted that after scrutinising the case paper, the Law and Judiciary Department partially granted permission to challenge the impugned order dated 29.7.1998 by filing writ petition and due to this administrative completion of formalities, there is delay in filing the present writ petition. Therefore, it is most respectfully prayed that delay may be condoned on the aforesaid bonafide ground and petition be heard on merits."

3. Assuming the petitioner had in fact obtained an opinion from the Law and Judiciary Department that no petition ought to be filed impugning the order of 29.7.1988 and thereafter some time was required again by the Law and Judiciary Department to scrutinize the papers once more, it cannot be said that six years is a reasonable period of time required to form an opinion.

4. Hence all the four petitions rejected.

(SMT. NISHITA MHATRE, J.)